

**(C) Separate application of limit for newly listed chemicals**

**(i) In general**

Subparagraph (B) shall be applied separately with respect to newly listed chemicals and other chemicals.

**(ii) Application to newly listed chemicals**

In applying subparagraph (B) to newly listed chemicals—

(I) subparagraph (B) shall be applied by substituting “1989” for “1986” each place it appears, and

(II) clause (i)(II) thereof shall be applied by substituting for the regulations referred to therein any regulations (whether or not prescribed by the Secretary) which the Secretary determines are comparable to the regulations referred to in such clause with respect to newly listed chemicals.

**(iii) Newly listed chemical**

For purposes of this subparagraph, the term “newly listed chemical” means any substance which appears in the table contained in subsection (a)(2) below Halon-2402.

**(e) Other definitions**

For purposes of this subchapter—

**(1) Importer**

The term “importer” means the person entering the article for consumption, use, or warehousing.

**(2) United States**

The term “United States” has the meaning given such term by section 4612(a)(4).

**(f) Special rules**

**(1) Fractional parts of a pound**

In the case of a fraction of a pound, the tax imposed by this subchapter shall be the same fraction of the amount of such tax imposed on a whole pound.

**(2) Disposition of revenues from Puerto Rico and the Virgin Islands**

The provisions of subsections (a)(3) and (b)(3) of section 7652 shall not apply to any tax imposed by this subchapter.

**(g) Chemicals used as propellants in metered-dose inhalers**

**(1) Exemption from tax**

**(A) In general**

No tax shall be imposed by section 4681 on—

(i) any use of any substance as a propellant in metered-dose inhalers, or

(ii) any qualified sale by the manufacturer, producer, or importer of any substance.

**(B) Qualified sale**

For purposes of subparagraph (A), the term “qualified sale” means any sale by the manufacturer, producer, or importer of any substance—

(i) for use by the purchaser as a propellant in metered dose inhalers, or

(ii) for resale by the purchaser to a 2d purchaser for such use by the 2d purchaser.

The preceding sentence shall apply only if the manufacturer, producer, and importer, and the 1st and 2d purchasers (if any) meet such registration requirements as may be prescribed by the Secretary.

**(2) Overpayments**

If any substance on which tax was paid under this subchapter is used by any person as a propellant in metered-dose inhalers, credit or refund without interest shall be allowed to such person in an amount equal to the tax so paid. Amounts payable under the preceding sentence with respect to uses during the taxable year shall be treated as described in section 34(a) for such year unless claim thereof has been timely filed under this paragraph.

**(h) Imposition of floor stocks taxes**

**(1) January 1, 1990, tax**

On any ozone-depleting chemical which on January 1, 1990, is held by any person (other than the manufacturer, producer, or importer thereof) for sale or for use in further manufacture, there is hereby imposed a floor stocks tax in an amount equal to the tax which would be imposed by section 4681 on such chemical if the sale of such chemical by the manufacturer, producer, or importer thereof had occurred during 1990.

**(2) Other tax-increase dates**

**(A) In general**

If, on any tax-increase date, any ozone-depleting chemical is held by any person (other than the manufacturer, producer, or importer thereof) for sale or for use in further manufacture, there is hereby imposed a floor stocks tax.

**(B) Amount of tax**

The amount of the tax imposed by subparagraph (A) shall be the excess (if any) of—

(i) the tax which would be imposed under section 4681 on such substance if the sale of such chemical by the manufacturer, producer, or importer thereof had occurred on the tax-increase date, over

(ii) the prior tax (if any) imposed by this subchapter on such substance.

**(C) Tax-increase date**

For purposes of this paragraph, the term “tax-increase date” means January 1 of any calendar year after 1991.

**(3) Due date**

The taxes imposed by this subsection on January 1 of any calendar year shall be paid on or before June 30 of such year.

**(4) Application of other laws**

All other provisions of law, including penalties, applicable with respect to the taxes imposed by section 4681 shall apply to the floor stocks taxes imposed by this subsection.

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